

been provided as required. The Abstract presented is based on the Abstract provided with the PCT application.

Claim 8 has been objected to under 37 CFR 1.75, "as being of improper dependent form for failing to further limit the subject matter of a previous claim." Claim 8 has been canceled in order to expedite the prosecution.

Claim 11 has been objected to because it "is a method claim(s) dependent from an apparatus." Claim 11 has been rewritten as new claim 16. Claim 16 is a pure method claim.

Claims 9 and 10 have been rejected under 35 USC 112, first paragraph, "because the best mode contemplated by the inventor has not been disclosed." While, with all due respect, the basis for a "best mode" rejection in the context of claims 9 and 10 is not understood, the point is moot in that, in order to expedite the prosecution, claims 9 and 10 have simply been canceled.

Claims 1-15 have been rejected under 35 USC 112, second paragraph, as being "indefinite." With one exception, the claims have been amended to overcome the objections raised.

Considering the specific rejections, with respect to claim 1, it is respectfully submitted that the use of "for" in the phrase "for subjecting" is proper. Indeed, this manner of claiming a "function" has been used in literally millions of claims. However, this is obviously a minor point and if the Examiner insists, the phrase -- that, in use, subjects -- can be substituted for the phrase "for subjecting."

With respect to claim 4, the various relationships in question have been clarified and the phrase "such as a rotating brush roller" has been deleted.

With respect to the objection to claim 9, claim 9 has been canceled.

Regarding claim 11, as indicated above, this claim has been replaced by claim 16 which is a method claim.

Finally, with respect to claim 12, one of the suggestions of the Examiner has been adopted so as to overcome the objection raised.

Turning to the merits, claims 1-3, 6, 8 and 11-13 have been rejected under 35 USC 102(b) as being "anticipated by Claude et al. (FR 2 744 820)" while claims 1-8 and

11-15 have been rejected under 35 USC 103(a) as being unpatentable over the Claude et al reference "in view of Krooss." These rejections are respectfully traversed.

With all due respect to the Examiner, it appears that the teachings of the Claude et al patent have been misinterpreted in these rejections. In this regard, enclosed herewith are an English-language Abstract from Derwent as well as a translation of the description contained in the reference. As pointed out in the Derwent Abstract, the numeral 4 indicates UV germicidal lamps, rather than a sprayer. Perhaps, the Examiner was misled by the little lines shown in Figure 3 which are presumably meant to show radiation, rather than water droplets. It is also important to note that the reference stresses the importance of keeping everything dry so that the reference clearly teaches away from the idea of using a water spray. Further, the numeral 3 is used to indicate a fan for blowing hot air, not "UV irradiation." The Examiner is correct in saying that the numeral 5 represents a brush although it is not clear why the Examiner states that it is "at the flexure."

Considering the Claude et al reference in more detail, this reference discloses a very specialized cleaning system for removing dough residue from a bakery production line. The system relies on the fact that, when heated, dough loses its adhesion to surfaces and thus is easily removed by the action of a dry brush. The UV germicidal lamps provided in the system are primarily intended to remove fungal and yeast spores from the adjacent atmosphere. There is no indication in the Claude et al reference of lamp type, output intensity or dwell time relative to the conveyor rotation speed. Nor is there any mechanism disclosed in the reference for determining whether the system is efficient or effective at cleaning or decontamination. Again, it is important to note that there is no water used and that such a system would not work for the intended application if water were used. The system of the reference also relies on elevated temperatures (of air) which would make the system impractical for any raw foodstuff or proteinaceous foodstuff that would be degraded due to denaturation in the presence of heat. Finally, the Claude et al reference is not concerned with a conveying arrangement but rather is concerned with an apparatus for forming dough or pastry by rolling the dough between belts.

In summary, there are a number of important differences between the present invention as claimed and the Claude et al reference. A key difference is that the reference does not disclose an assembly including a sprayer which is, of course, an essential feature of the claimed arrangement and, moreover, the reference directly teaches away from the provision of a sprayer and constantly stresses the need for dryness. Thus, for this reason alone, the claims patentably define over the Claude et al reference.

Turning to the Krooss reference, this reference is essentially concerned with a belt formed of rug material for cleaning the bottoms of bottles being carried thereby. The rug belt is sprayed with water. The belt subsequently passes a squeegee to control the amount of liquid in the belt. This also provides some cleaning of the belt. Clearly the cleaning provided is a very coarse cleaning. The purpose is to prevent material adhering to the conveyor from causing the conveyor to jam and malfunction because of excess amounts of dirt (see column 1, lines 18-22). There is no teaching of any form of sterilization.

It is respectfully submitted that the system disclosed in the Krooss patent is very different from that of the present invention as well as from the device of the Claude et al reference. The essential features of the Krooss patent, a belt of carpet, sprayed with liquid, are totally unsuitable for the food-handling operations of either the present invention or the Claude et al patent. It is respectfully submitted that there is certainly no way that the teachings of the two references could be fairly combined given what the references actually disclose. Moreover, given the actual disclosures of the two reference, no fair combination of these references could result in the present invention as claimed.

Allowance of the application in its present form is respectfully solicited.

Respectfully submitted,



By: Ross F. Hunt, Jr.

Registration No.: 24082

Date: July 1, 2003

**LARSON & TAYLOR, PLC • 1199 North Fairfax St. • Suite 900 • Alexandria, VA 22314 • (703) 739-4900**